

**IN THE CLAIMS:**

Please CANCEL claims 1-5 and 11-23, without prejudice or disclaimer, as these claims are withdrawn from consideration.

Moreover, please CANCEL claims 6, 7 and 9, without prejudice or disclaimer.

Please AMEND the claims and ADD new claims as indicated below:

1. (CANCELED)
2. (CANCELED)
3. (CANCELED)
4. (CANCELED)
5. (CANCELED)
6. (CANCELED)
7. (CANCELED)

*Sub B1*  
*Comp*  
8. (CURRENTLY AMENDED) An optical communication apparatus comprising:  
optical modulating means for modulating input light in accordance with a modulation signal to be transmitted; and  
regulating means for regulating the intensity of light which is transmitted through an optical transmission line from said optical modulation means, wherein said regulating means is an optical attenuating means for attenuating the intensity of light entered to an input port of said optical modulating means in accordance with the intensity of said modulation signal.

9. (CANCELED)

10. (CURRENTLY AMENDED) An optical communication apparatus comprising:  
optical modulating means for modulating input light in accordance with a modulation signal to be transmitted; and  
regulating means for regulating the intensity of light which is transmitted through an optical transmission line from said optical modulation means, wherein said regulating means is an optical attenuating means for attenuating the intensity of light exit from an output port of said optical modulating means in accordance with the intensity of said modulation signal.

11. (CANCELED)
12. (CANCELED)

13. (CANCELED)
14. (CANCELED)
15. (CANCELED)
16. (CANCELED)
17. (CANCELED)
18. (CANCELED)
19. (CANCELED)
20. (CANCELED)
21. (CANCELED)
22. (CANCELED)
23. (CANCELED)

*OK*  
*cont* Please ADD the following NEW claims: 

24. (NEW) An optical communication apparatus comprising:  
an optical modulator modulating input light in accordance with a modulation signal to be transmitted; and  
a regulator regulating intensity of light which is transmitted through an optical transmission line from the optical modulator, wherein the regulator is an optical attenuator attenuating intensity of light entered to an input port of the optical modulator in accordance with intensity of the modulation signal.

25. (NEW) An optical communication apparatus comprising:  
an optical modulator modulating input light in accordance with a modulation signal to be transmitted; and  
a regulator regulating intensity of light which is transmitted through an optical transmission line from the optical modulator, wherein the regulator is an optical attenuator attenuating intensity of light exited from an output port of the optical modulator in accordance with intensity of the modulation signal.

26. (NEW) An apparatus comprising:  
an optical modulator modulating an input light in accordance with a modulation signal;  
and  
an attenuator attenuating intensity of the input light in accordance with intensity of the

modulation signal.

27. (NEW) An apparatus as in claim 26, wherein, when the intensity of the modulation signal is below a predetermined level, the attenuator attenuates the intensity of the input light so that ASE is not output from the modulator.

28. (NEW) An apparatus as in claim 26, wherein, when the intensity of the modulation signal is below a predetermined level, the attenuator attenuates the intensity of the input light so that unmodulated input light is not output from the modulator.

29. (NEW) An apparatus comprising:  
an optical modulator modulating an input light in accordance with a modulation signal;  
and  
means for attenuating intensity of the input light in accordance with intensity of the modulation signal.

30. (NEW) An apparatus comprising:  
an optical modulator modulating an input light in accordance with a modulation signal, to thereby output a modulated light; and  
an attenuator attenuating intensity of the modulated light output from the optical modulator in accordance with intensity of the modulation signal.

31. (NEW) An apparatus as in claim 30, wherein, when the intensity of the modulation signal is below a predetermined level, the attenuator attenuates the intensity of the modulated output light so that ASE is not output from the modulator to a downstream transmission line.

32. (NEW) An apparatus as in claim 30, wherein, when the intensity of the modulation signal is below a predetermined level, the attenuator attenuates the intensity of the modulated output light so that unmodulated input light is not output from the modulator to a downstream transmission line.

33. (NEW) An apparatus comprising:

an optical modulator modulating an input light in accordance with a modulation signal, to thereby output a modulated light; and

means for attenuating intensity of the modulated light output from the optical modulator in accordance with intensity of the modulation signal.

34. (NEW) A method comprising:  
optically modulating an input light in accordance with a modulation signal; and  
attenuating intensity of the input light in accordance with intensity of the modulation signal.

35. (NEW) A method as in claim 34, wherein, when the intensity of the modulation signal is below a predetermined level, said attenuating attenuates the intensity of the input light so that ASE is not output from said optically modulating.

36. (NEW) An apparatus as in claim 34, wherein, when the intensity of the modulation signal is below a predetermined level, said attenuating attenuates the intensity of the input light so that unmodulated input light is not output from said optically modulating.

37. (NEW) A method comprising:  
optically modulating an input light in accordance with a modulation signal, to thereby output a modulated light; and  
attenuating intensity of the modulated light output from said optical modulating in accordance with intensity of the modulation signal.

38. (NEW) A method as in claim 37, wherein, when the intensity of the modulation signal is below a predetermined level, said attenuating attenuates the intensity of the modulated output light so that ASE is not output from said optically modulating to a downstream transmission line.

39. (NEW) An apparatus as in claim 37, wherein, when the intensity of the modulation signal is below a predetermined level, said attenuating attenuates the intensity of the modulated output light so that unmodulated input light is not output from said optically modulating to a downstream transmission line.